

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
Oakland Venue

Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender
(Probation Form 49, Waiver of Hearings is Attached)

Name of Offender
Michael Louise Black

Docket Number
CR 06-00701-1 CW

Name of Sentencing Judge: The Honorable Claudia Wilken
United States District Judge

Date of Original Sentence: October 3, 2007

Original Offense

Count One: Distribution of Cocaine Base, 21 U.S.C. §§ 841(a)(1), and (b)(1)(C), a Class C Felony

Original Sentence: 51 months custody, three years supervised release

Special Conditions: \$100.00 special assessment; not possess a firearm, ammunition, destructive device, or any other dangerous weapon; DNA collection; substance abuse treatment and testing; search; not associate with any member of the Project Trojan gang, not to have any connection whatsoever with the Project Trojan gang or any other gang; not to be in the vicinity of North Richmond, California, unless approved by the probation officer; register as a drug offender pursuant to state law.

Prior Form(s) 12:

On April 27, 2012, a Request to Modify the Conditions with Consent of the Offender was filed with the Court charging the offender with five violations of his term of supervised release. Specifically, the offender associated with a known felon, he failed to follow the directions of the probation officer, he would not truthfully answer the questions of the probation officer, he failed to report to the probation officer, and the offender submitted false information to the probation officer. The offender agreed to have his conditions of supervised release modified to include three months of Location Monitoring as a sanction for these violations.

Type of Supervision
Supervised Release
Assistant U.S. Attorney
Garth Hire

Date Supervision Commenced
April 13, 2010
Defense Counsel
Patrick Robbins (Appointed)

RE: Black, Michael Louise
CR 06-00701-1 CW

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Petitioning the Court

To modify the conditions of probation as follows:

The defendant shall reside for a period of two months, as directed by the probation officer, in a Residential Re-entry Center to be determined by the probation officer, and shall observe the rules of that facility. The remaining time on the location monitoring special condition is waived.

Cause

On May 29, 2012, I received a telephone call from the offender's mother regarding the offender's residence at her home during his three-month period of home detention on the Location Monitoring Program. She reported that the offender was not doing well at her residence and she wanted me to address this issue with the offender.

Later on May 29, 2012, I had contact with the offender at the U.S. Probation Office in Oakland, California. I inquired as to any difficulties he was having at the residence, and relayed his mother's concerns regarding his continued stay at her home on the Location Monitoring Program. The offender suggested that he could complete the remainder of his sanction at a halfway house. I advised the offender of his rights to counsel and to a hearing prior to any unfavorable change to his conditions of supervised release. The offender stated he understood his rights, and voluntarily signed the Waiver of Hearing.

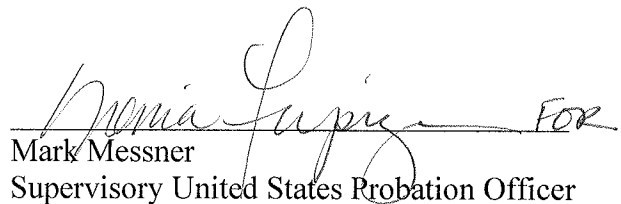
I recommend that a two-month placement at a Residential Re-entry Center would be the most satisfactory outcome since the offender is having difficulty with his family while on the Location Monitoring Program.

Respectfully submitted,

Reviewed by:



Alexandre D. Bonneville
United States Probation Officer
Date Signed: May 29, 2012

 FOR

Mark Messner
Supervisory United States Probation Officer

RE: Black, Michael Louise
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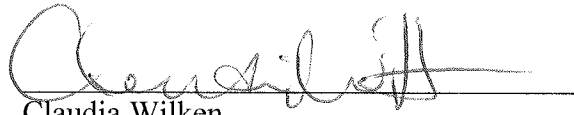
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THE COURT ORDERS:

- ☒ The defendant shall reside for a period of two months, as directed by the probation officer, in a Residential Re-entry Center to be determined by the probation officer, and shall observe the rules of that facility. The remaining time on the location monitoring special condition is waived.
- ☐ Submit a request for a warrant
- ☐ Submit a request for summons
- ☐ Other:

JUN 01 2012

Date



Claudia Wilken
United States District Judge

UNITED STATES DISTRICT COURT

for

NORTHERN DISTRICT OF CALIFORNIA

Defendant Name: Michael L. Black

Docket No.: CR 06-00701-1 CW

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term Of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel", I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

The defendant shall reside for a period of two months, as directed by the probation officer, in a Residential Re-entry Center to be determined by the probation officer, and shall observe the rules of that facility. The remaining time on the location monitoring special condition is waived.

☐ continued on next page

I declare under penalty of perjury under the laws of the United States of America that the foregoing information is true and correct and that this declaration was executed on the date indicated at Oakland.

Signed: Michael Black
Probationer or Supervised Releasee

Date: 5-29-12

Witness: Alexandre Bonneville
Alexandre Bonneville
U.S. Probation Officer

Date: 5/29/12